

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

ROBERT G. LOPEZ, an individual,

Plaintiff,

v.

NIKE, INC.,  
WABI SABI, INC.,  
G & S SPORTING GOODS, LLC,  
BIERGARTEN HOLDINGS CORP.,  
SCHOTT BROS., INC.,  
CUSTOMINK, LLC,  
YNAP CORPORATION,  
STOCKX, LLC,  
KITH RETAIL, LLC,  
URBAN OUTFITTERS, INC.,  
PARAGON SPORTS, LLC,  
BLOOMINGDALES, INC.,  
NORDSTROM, INC.,  
NEIMAN MARCUS, INC.,  
BOP, LLC,  
RAKUTEN USA, INC.,  
EMINENT, INC.,  
DRJAY'S.COM, INC.,  
THREDUP, INC.,  
DULUTH HOLDINGS, INC.,  
ABERCROMBIE & FITCH CO.,  
MERCHNOW, LLC,  
BIG CARTEL, LLC,  
NEW ERA CAP CO., INC., and  
Does 1-10

Defendants.

Case No. 20-CV-00905-PGG-JLC

**DEFENDANT  
BLOOMINGDALE'S, INC.'S  
NOTICE OF MOTION TO DISMISS  
PLAINTIFF'S FIRST AMENDED  
COMPLAINT**

PLEASE TAKE NOTICE THAT, upon the Memorandum of Law in Support of Defendant Bloomingdale's, Inc.'s Motion to Dismiss Plaintiff's First Amended Complaint, such reply papers as Bloomingdale's may file, and such oral argument as may be heard by the Court, Defendant Bloomingdale's, Inc. moves this Court before the Honorable Paul Gardephe, U.S.D.J.

at the United States Courthouse for the Southern District of New York, pursuant to Federal Rule of Civil Procedure 12(b)(6), to dismiss the First Amended Complaint [Doc. 8] filed by Plaintiff Robert G. Lopez.

Dated: March 26, 2020

Respectfully submitted,

By: /s/ Aahren R. DePalma  
Aahren R. DePalma  
MACY'S LAW DEPARTMENT  
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St. Louis, MO 63141  
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*Attorneys for Defendant Bloomingdale's, Inc.*

**CERTIFICATION OF SERVICE**

I hereby certify that on this date, I caused to be served via First Class U.S. Mail a true and correct copy of the foregoing Notice of Motion, accompanying Memorandum of Law, and cited unpublished authorities on:

Robert G. Lopez  
230 Clinton Street, Suite 11C  
New York, New York 10002  
*Plaintiff Pro Se*

Pursuant to 28 U.S.C. §1746, I certify under penalty of perjury that the foregoing is true and correct.

Dated: March 26, 2020

*s/ Aahren R. DePalma*  
Aahren R. DePalma